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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

YGUERABIDE *et al.*

Appl. No. 09/932,128

Filed: August 16, 2001

For: **Analyte Assay Using Particulate Labels**

Confirmation No.: 5342

Art Unit: 1641

Examiner: Yang, N.

Atty. Docket: 11032-021

**Amendment and Reply Under 37 C.F.R. § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **June 18, 2004**, Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all of the claims:
  - in ascending order;
  - with status identifiers; and
  - with markings in the currently amended claims;
- (C) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this


paper. However, if additional fees are due for net addition of claims, or if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required are hereby authorized to be charged to Jones Day Deposit Account No. 503013.


***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

Date: December 20, 2004

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By:  40,258  
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